

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
RICHARD W. NAGEL
CLERK OF COURT

2017 APR 25 PM 12:17

U.S. DISTRICT COURT
SOUTHERN DIST. OHIO
WESTERN DIV.

3:17-cr-00059
THOMAS M. ROSE

UNITED STATES OF AMERICA, :

Plaintiff, :

v. :

MYRON D. BAKER :

Defendant. : INDICTMENT
18 U.S.C. §§ 922(g)(1) and 924(a)(2)
21 U.S.C. §§ 841(a)(1) and (b)(1)(C)
FORFEITURE

THE GRAND JURY CHARGES THAT:

COUNT 1

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about April 4, 2017, in the Southern District of Ohio, defendant **MYRON D. BAKER** knowingly possessed, in and affecting interstate commerce, a firearm to wit: a loaded semi-automatic 9mm Keltec handgun. This possession occurred after **MYRON D. BAKER** had been convicted of the following felony punishable by a term of imprisonment exceeding one year, namely:

- (a) on or about February 19, 2002, in the Common Pleas Court of Montgomery County, Dayton, Ohio, Case Number 2001CR03937, of Aggravated Robbery (deadly weapon) (F1), in violation of the Ohio Revised Code.

In violation of 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

COUNT 2

[21 U.S.C. §§ 841(a)(1) & (b)(1)(C)]

On or about April 4, 2017, in the Southern District of Ohio, defendant **MYRON D. BAKER** knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of Carfentanil, a fentanyl analogue, a Schedule II controlled

substance, as defined in 21 U.S.C. § 802(32), knowing that the substance was intended for human consumption as provided in 21 U.S.C. § 813.

All in violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

COUNT 3
[21 U.S.C. §§ 841(a)(1) & (b)(1)(C)]

On or about April 4, 2017, in the Southern District of Ohio, defendant **MYRON D. BAKER** knowingly and intentionally possessed with intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(C).

FORFEITURE ALLEGATION ONE

Upon conviction of Count One, Two and/or Three of this Indictment, defendant **MYRON D. BAKER** shall forfeit to the United States pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), his interest in all firearms and ammunition involved in or used in any knowing violation of Count One, which includes but is not limited to:

- a) Semi-automatic 9mm Keltec handgun, Serial No. R1M42; and
- b) 17 rounds of 9mm ammunition.

FORFEITURE ALLEGATION TWO

Upon conviction of Counts Two and/or Three of this Indictment, defendant **MYRON D. BAKER** shall forfeit to the United States pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said violation and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of said violation, including but not limited to:

- a. Semi-automatic 9mm Keltec handgun, Serial No. R1M42;
- b. 17 rounds of 9mm ammunition; and
- c. \$5,578.00 in U.S. Currency.

If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL

15/signed
FOREMAN

BENJAMIN C. GLASSMAN
United States Attorney

Sheila G. Lafferty
SHEILA G. LAFFERTY
Assistant United States Attorney